

DOCUMENTS UNDER SEAL ☐

TOTAL TIME (mins): 23 Mins

<b>MAGISTRATE JUDGE</b> <b>MINUTE ORDER</b>	DEPUTY CLERK Ivy L. Garcia	REPORTER/FTR FTR: 4/28/08 10:20:36-10:43:20
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL	DATE 4/28/08	NEW CASE <input type="checkbox"/> CASE NUMBER CR-08-00194-SBA

**APPEARANCES**

DEFENDANT JAMES RICHARDS	AGE	CUST Yes	P/NP P	ATTORNEY FOR DEFENDANT Patrick Swillinger	PD. <input type="checkbox"/> RET. <input checked="" type="checkbox"/> APPT. <input type="checkbox"/>
U.S. ATTORNEY James Mann	INTERPRETER None	<input type="checkbox"/> FIN. AFFT SUBMITTED		<input type="checkbox"/> COUNSEL APPT'D	
PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Amy Berthelsen	DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>	

**PROCEEDINGS SCHEDULED TO OCCUR**

<input type="checkbox"/> INITIAL APPEAR	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUGM'T & SENTG	<input type="checkbox"/> STATUS
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> INITIAL APPEAR REV PROB OR S/R	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> DETENTION HRG 23 Mins HELD	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA	<input type="checkbox"/> PROB. REVOC.	<b>FILED</b>

**INITIAL APPEARANCE**

<input type="checkbox"/> ADVISED OF RIGHTS	<input type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME: <b>APR 28 2008</b>
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**ARRAIGNMENT**

<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER
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**RELEASE**

<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$	SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
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PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$	CORPORATE SECURITY <input type="checkbox"/>	REAL PROPERTY: <input type="checkbox"/>
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<input checked="" type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input checked="" type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input checked="" type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED NOT REQUESTED BY THE DEFT. AT THIS TIME	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
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ORDER REMOVED TO THE DISTRICT OF

**PLEA**

<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:

**CONTINUANCE**

TO: 4/29/08	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT	<input checked="" type="checkbox"/> STATUS / TRIAL SET
AT: 9:00 a.m.	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGN- MENT	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> OTHER
BEFORE HON. S. B. ARMSTRONG	<input type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING

**ADDITIONAL PROCEEDINGS**

The deft's atty. proffered that there were 4 people who agreed to co-sign on the Bond: deft's 2 sisters, his girlfriend & his stepfather, 1 of the sisters owns property which possibly can be posted as security on deft's bail & deft. can be released to a custodian with elec. mon. The deft. said he's also interested in inpatient drug prog. Based on the record bef. the Court, the Court said that the govt's atty. has met its burden that there are no conditions that could be imposed on the deft's pretrial release at this time that would provide reasonable assurance of the safety of the community. The deft. was ordered detained. Per deft's request, the Court is not formally closing the issue of detention. The deft. may ask the Court to put this matter back on cal. later if the deft. will have a new bail package to present to the Court to reconsider.

cc: WDB's Stats, Lisa, Pretrial